

REMARKS

Examiner Cooley is thanked for the courtesy extended during the Office Interview on December 15, 2009.

The Interview Summary is believed to accurately reflect what was discussed during the Interview.

Reconsideration of the objections to the Specification, the Abstract and the Title is hereby requested. The Specification has been amended at paragraph [0017] to correct a typographical error. A replacement Abstract of the Disclosure and a new Title are submitted herewith. Therefore, reconsideration of these objections is respectfully requested.

Reconsideration of the objection to Claim 1 is hereby requested. Claim 1 has been amended to correct the spelling error. Therefore, reconsideration of the objection is respectfully requested.

Regarding the rejection of Claims 1-5 and 7-12 under 35 U.S.C. §102(b) as being unpatentable over Kjellgren (U.S. Patent No. 3,741,467) and the rejection of Claim 6 under 35 U.S.C. §103(a) as being unpatentable over Kjellgren '467 in view of German Patent Application No. DE 30 03 206, Claims 1-12 are cancelled without prejudice or disclaimer of the subject matter therein.

An Information Disclosure Statement, being submitted concurrently herewith, includes a reference (U.S. Patent No. 3,519,199 to Todd) filed in an opposition to a parallel patent (EP 1 644 121 B1) granted by the European Patent Office. Other references cited during the EP prosecution were: EP-A-320 105; DE-A 10 065 060; and U.S. Patent Application Publication 2003/146146 were previously cited in an Information Disclosure Statement filed in the present case. The other reference cited in the opposition was U.S. Patent No. 3,741,467 to Kjellgren.

Claims 13-29 are added. Support for Claims 13-29 is found in original Claims 1-11, the Drawings and in the Specification, generally, as well more specifically in paragraphs [0004]-[00015] and [00020]-[00035].

Independent Claims 13 and 29 read as follows:

Claim 13:

A separator disc for a centrifuge, the separator disc including a first material having a surface energy and into which first material, at least in sections, a second material is diffused by a surface treatment, which diffusion changes the surface energy of the separator disc.

Claim 29:

A method of increasing the separation effect of a separator disc, the method steps comprising:

providing a separator disc including first and second opposed surfaces, the first surface including a first material having a surface energy; and

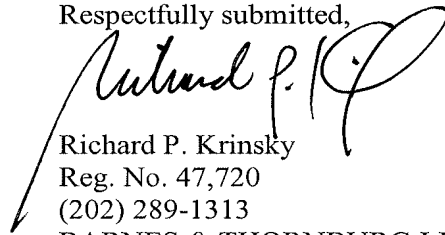
diffusing a second material into sections of the first surface, which diffusion changes the surface energy of the sections of the first surface thereby increasing the separator effect of the separator disc along the sections of the first surface.

Applicants submit that neither Kjellgren nor Todd disclose, individually or collectively, each and every element of Claims 13 and 29. Nor do these references, if combined, render Claims 13 and 29 obvious. More specifically, Applicants submit that Kjellgren and Todd do not disclose a separator disc including first and second opposed surfaces with the first surface including a first material having a surface energy and the first surface, at least in sections, having a second material diffused into it by a surface treatment, which diffusion changes the surface energy of the sections of the first surface of the separator disc. Moreover, Applicants assert that neither Kjellgren nor Todd discloses a method of increasing the separation effect of a separator disc, the method comprising the steps of: providing a separator disc including first and second opposed surfaces with the first surface including a first material having a surface energy; and, diffusing a second material into sections of the first surface, which diffusion changes the surface energy of the sections of the first surface, thereby increasing the separation effect of the separation disc along the sections of the first surface. With regard to Examiner's comment in the Interview Summary, Applicants respectfully submit that sufficient structure for a diffused separator disc is disclosed in that the separator disc includes a first material having a surface energy and into that surface, at least in sections, a second material is diffused, which diffusion changes the surface energy of the separator disc. Applicants submit that neither Kjellgren nor Todd disclose such a diffused separator disc nor do they disclose a method that includes such diffusion of a separator disc to change surface energy.

In view of the above, Claims 13-29 and the Application are considered to be in condition for allowance and such is respectfully requested.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 02-1010 (677/44541).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard P. Krinsky", is written over the typed name and address.

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Enclosure(s): Replacement Title
Amendment to the Specification
Amendments to and Listing of the Claims
Replacement Abstract

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